

AMENDMENTS

In the Claims:

Please amend claim 18 as follows:

18. ~~(Amended)~~ A method for thawing a frozen biopharmaceutical solution, the method comprising:
~~heating the biopharmaceutical solution, when at least a portion of the biopharmaceutical solution is frozen, using a heating element coupled to a container which contains the biopharmaceutical solution; and~~
~~inducing oscillatory motion to the biopharmaceutical solution to thaw the at least a portion of the biopharmaceutical solution using an oscillatory driver adapted to be coupled to the biopharmaceutical solution; and~~
~~wherein a frequency of the oscillatory motion of the oscillatory driver ranges from about 0.01 Hz to less than about 20 Hz.~~

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REMARKS

Without acquiescing to the appropriateness of the rejections in the Office Action dated March 4, 2002, claim 18 has been amended to more particularly point out and distinctly claim the subject matter of the present invention. Support for the amendment can be found on page 9 of the specification as filed. Entry of the amendments, reconsideration of the application, and allowance of all the claims pending herein is respectfully requested in view of the remarks below. Claims 2, 3, 6-9 and 18 are now pending and under consideration.

Claims 2, 3, 6-9 and 18 stand rejected under 35 U.S.C. §102(b) as being anticipated by the 1992 Wisniewski and Wu article "Large Scale Freezing and Thawing of Biopharmaceutical Drug Product". Specifically, the "shaker platform" discussed on page 134 is alleged to be an "oscillatory driver" as recited in claim 18. Further, claims 2 and 6 stand rejected under 35 U.S.C. 103(a) as being obvious over the Wisniewski and Wu article and in further view of Peppers (U.S.